

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PARTHENON UNIFIED MEMORY
ARCHITECTURE LLC

v.

APPLE, INC.

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Case No. 2:15-CV-621-JRG-RSP

MEMORANDUM ORDER

Currently before the Court is Apple Inc.'s Motion for Leave to Join Acacia Research Group and Acacia Research Corporation (Dkt. No. 85). Apple moves the Court to order Plaintiff to join the Acacia entities as additional plaintiffs. Apple's primary argument is that the Acacia entities are the *alter egos* of Plaintiff. Apple argues that Plaintiff is undercapitalized and that Apple might be unable to collect any fees and costs it might be awarded against Plaintiff at the end of the litigation.

Plaintiff has persuasively responded that it is not undercapitalized. Moreover, Apple's motion is premature, as it has not obtained any award of fees and costs in this matter, let alone shown that Plaintiff cannot pay the award. Apple can seek recovery against the Acacia entities when and if such events occur. It would needlessly complicate these proceedings to join the Acacia entities at this juncture. Accordingly, the motion is DENIED.

SIGNED this 9th day of August, 2016.



ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE